

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FRANK BELLOSPIRITO,

Plaintiff,

vs.

CALIFORNIA STATE JUDGE,

Defendant.

3:07-CV-491-LRH (RAM)

REPORT AND RECOMMENDATION  
OF U.S. MAGISTRATE JUDGE

This Report and Recommendation is made to the Honorable Larry R. Hicks, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

On February 21, 2008, the court entered an order advising Plaintiff that his proposed Complaint was incomprehensible and giving Plaintiff twenty (20) days to file a document that could be construed by the court as a Complaint (Doc. #6).

On March 5, 2008, Plaintiff filed a document entitled Administrative Review and Not Judicial Review for Judgment in Favor of Respondent which, in the vernacular, is simply more gibberish, and certainly does not comply with the court's order.

The Plaintiff has failed to comply with the court's order and file a Complaint in this case and, therefore, this case should be dismissed without prejudice.

RECOMMENDATION

IT IS HEREBY RECOMMENDED that the District Judge enter an order dismissing this case without prejudice.

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1 The parties should be aware of the following:

2 1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local  
3 Rules of Practice, specific written objections to this Report and Recommendation within ten (10)  
4 days of receipt. These objections should be titled "Objections to Magistrate Judge's Report and  
5 Recommendation" and should be accompanied by points and authorities for consideration by the  
6 District Court.

7 2. That this Report and Recommendation is not an appealable order and that any notice  
8 of appeal pursuant to Rule 4(a)(1), Fed. R. Civ. P., should not be filed until entry of the District  
9 Court's judgment.

10 DATED: April 15, 2008.



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UNITED STATES MAGISTRATE JUDGE